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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,861	06/28/2001	Anthony F. Istvan	20643/1205190-US1	5363
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Digeo			EXAMINER	
c/o DARBY & DARBY P.C.			BROWN, RUEBEN M	
P.O. BOX 770				
Church Street Station			ART UNIT	
NEW YORK, NY 10008-0770			2623	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/895,861	ISTVAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Reuben M. Brown	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on 10/18/07.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,5-8,10,11,14-18,20,21,24, 25 and 29-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,5-8,10,11,14-18,20,21,24,25 and 29-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 11/5/06; 1/22/07
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/18/2007 has been entered.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 5-8, 21, 24 & 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis, (WO 00/04707), in view of Horiwitz, (U.S. Pat # 6,785,901), Williams, (U.S. Pat #

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5,945,988) & Wakerly, (Digital Design, Principles & Practices, 2nd Edition, by Prentice Hall, 1994).

Considering claims 1, the claimed system for viewing multimedia content, the system comprising;

‘a communication network’, and ‘a content & a broadcast center coupled to the communication network’, reads on the disclosure in Ellis that a local network of user equipment (set top boxes 60-68 & 81-83), is connected to a CATV headend via a server 80; Fig. 5; page 18, lines 5-22. The CATV headend meets the claimed ‘broadcast center’ and is inherently connected to a plurality of ‘content sources’. Furthermore the CATV distribution system in Ellis reads on the claimed ‘communication network’.

‘a plurality of client systems coupled to the broadcast center, wherein the plurality of client systems is organized according to an object-oriented model in which logical software objects are instantiated in an object hierarchy, that includes; a household object that contains attributes and data related to a household in which the clients systems are located’, reads on Fig. 11 & Figs. 18a&b.

‘a plurality of user objects that contain attributes and data related to respective user of the client systems’, reads on the profiles for each user of the system such for the parents and kids, page 24, lines 26-36; page 30, lines 1-23; page 33, lines 28-34 thru page 34, lines 1-15.

‘wherein the user objects are contained in the household object and, when instantiated, the user objects define the interaction of the respective users with the plurality of client systems’, emphasis added, also reads on the customized profiles, Ellis teaches that the user objects may be communicated to a plurality of locations within the household, (Fig. 3-5; Fig. 14; page 24, lines 7-32; page 26, lines 3-32; page 34, lines 1-15). However, Ellis does not explicitly disclose that a particular STB may be controlled by more than one user object. Nevertheless Horiwitz, which is in the same field of endeavor discloses that it is advantageous to enable a plurality of different user (objects) to access a particular STB, col. 10, lines 32-54 & col. 11, lines 1-62. Horiwitz goes on to teach that the system is most effective when each user is required to log on the particular STB, col. 10, lines 54-67, thereby ensuring the identify the instant user (object).

It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Ellis with the feature of enabling multiple users to access their profile, i.e., user object from each particular STB, since it was well known that multiple users are accessing programming content from the instant particular STB, as taught by Horiwitz, see Fig. 6.

As for the amended claimed feature of, ‘wherein a client system of the plurality of client systems accessed by a user to change a configuration of a user object of the plurality of client systems, the system being configured to provide the change to all of the client systems of the plurality of client systems without further activity from the user and without the user selecting the plurality of the client systems to provide the change’, Ellis teaches that once a change is

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made, that the setting, may by default be applied to any combination of locations, which meets the claimed subject matter, page 26, lines 10-25.

As for the amended claimed feature of, 'a revision history that includes information related to configuration changes of a plurality of user objects, wherein the revision history is configured to store update identifier and bit vectors associated with updates to configuration information related to the plurality of user objects', Ellis does not disclose the user objects at such a detail. Nevertheless Williams, which is in the same field of endeavor of systems that store a plurality of user profile settings for TV system, meets the claimed subject matter. Williams discloses that each user in the home entertainment system, has a stored profile that comprises a plurality of parameters, such as content block information, preferred program genre, preferred display setting, including volume, brightness, contrast settings, etc., (col. 2, lines 62-67 thru col. 3, lines 1-26; col. 4, lines 21-55; col. 5, lines 31-55 & col. 6, lines 8-65; Fig. 7. The user(s) profile settings may change dynamically change, based on the user's present viewing settings, or the user(s) themselves may change their profile (col. 15, lines 20-41); thus the claimed, 'configured to update identifiers and bit vectors', reads on the disclosure of Williams, see col. 8, lines 56-67 thru col. 9, lines 1-30 & col. 10, lines 1-26; Fig. 7.

It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Ellis with the technique of maintaining a revision history of each user's profile settings, at least for the desirable benefit of monitoring the current TV viewing settings in order to determine which user is viewing the TV, so that that particular user's TV viewing

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settings will be retrieved to control the TV viewing apparatus (Figs. 2 & 3), as taught by Williams, see Abstract; 1, lines 45-65 & col. 2, lines 1-15.

‘wherein the system is configured and arranged to provide configuration changes to the client systems by receiving an update identifier from a client system of the plurality of client system; determining an update vector for that client system as a function of the received update identifier and any update identifiers in the revision history that are more recently associated with an update than the received update identifier’ and generating the update vector for that client system as a function of the bit vectors associated with the update identifier that are more recent than the received update identifier’, is met by the disclosure of Williams, col. 7, lines 16-67; col. 8, lines 7-42; col. 9, lines 30-60; col. 10, lines 37-67; col. 13, lines 65-67 thru col. 14, lines 1-4.

With respect to the specifics of, ‘bit vectors’, Williams discusses that the configuration, i.e. user profile settings are stored by the system controller 104 onto a computer storage medium, (col. 3, lines 9-27; col. 6, lines 1-8; col. 14), thus the stored profile settings, are necessarily in a bit sequence. However, Williams does not discuss a “bit vector”, as such. Nevertheless Wakerly, which is reference book dedicated to digital/logical circuit design teaches a multiple input to a logic OR gate, see page 207-208. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify the combination of Ellis & Williams with the feature of a bit vector, at least for the desirable advantage of maintaining the combined parameters or fields of the user's profile settings as a unit, which provides for easy computation in a logic operation, as shown by Wakerly, see pgs. 207-208 & 275-276, Fig. 5-3(b).

Considering claims 5 & 24, in Ellis/Horiwitz any new STB added to the system, to which a user may access his profile by inputting the password, meets the claim. This is true since whenever the user logs onto the different STB, the profile is available, including any updates previous made to the user's profile. Therefore, the user object is made available without requiring input from the user.

Considering claim 6, Official Notice is taken that at the time the invention was made, it was well known in the art for a user object to be active on multiple equipment devices, concurrently. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Ellis with the feature of enabling a user object, to be maintained concurrently on multiple equipment devices, at least for the desirable advantage of the user being able to share his/her profile/preferences with another user in a different location.

Considering claim 7, the claimed 'anonymous user object, such that the anonymous user object is configured to be accessible to all users', is met by the guest user object. Also, the pre-programmed default settings disclosed in Williams meets the claimed subject matter, see col. 10, lines 26-37.

Considering claim 8, the claimed feature of the 'server operatively coupled to the access means, and configured to include information related to each user object', is met by the discussion in Ellis, that using the master device, the primary user may adjust the controls and



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settings for all of the other devices, see page 24, lines 8-35 thru page 25, lines 1-34. Also, Williams teaches that the user profile settings may be stored locally, or alternatively at a remote location, which reads on the claimed 'server', see col. 9, lines 1-15 & col. 8, lines 19-30.

In particular, both primary user equipment 60 and the server 80, read on the claimed server, (Figs. 3-5 & Fig. 7a; page 16, lines 17-35; page 18, lines 5-22; page 19, lines 17-35). The claimed feature of 'including information related to each user of the plurality of user objects', reads on the master device controlling all of the other devices.

Considering amended claim 21, the claimed method for viewing content delivered to a client system, comprising method steps that correspond with subject matter mentioned above in the rejection of claims 1, are likewise treated.

'associating plurality of client systems with a household', is met by the disclosure of Ellis, (Fig. 3-5; Fig. 7; page 16-19).

'delivering content from a content source via a communication network to at least one of plurality of clients systems', is met by the disclosure of Ellis, page 12, lines 5-25.

As for the additionally claimed feature that the, 'data related to the users including an individual e-mail address for each object', Ellis teaches that messages may be transmitted

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between locations in the system using any suitable commutation technique, including the e-mail protocol, page 38, lines 1-30; Figs. 29-30. Since the different rooms in Ellis have been assigned a name, Fig. 11 & Fig. 13, such as Parent's Room, Bobbi's Room, etc., which therefore may be associated with a particular person(s), and Ellis teaches transmitting e-mail between the different rooms, the reference reads on the claimed user object.

Considering claims 29 & 30, Wakerly which is directed to logical circuit design discloses well-known Truth tables for the logical-OR technology, as well as a logical-OR gate with multiple inputs, which reads on the vector, see pgs. 197, 204, 207-211, 275-276, Fig. 5-3(b). Thus, the claimed subject matter reads on the user profile vector, in a bit vector format as taught by Wakerly, and the update vector being determined by the well-known logical-OR technique, also as taught by Wakerly between the current user profile vector and the most recent changes.

4. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis, Horiwitz, Williams & Wakerly and further in view of Goodman, (U.S. PG-PUB 2006/0059253).

Considering claim 10, even though Ellis teaches that the user may configure the system, the reference does not teach the claimed feature of maintaining a history, with corresponding sequence with respect to the configuration changes of the equipment. Nevertheless, Goodman which is in a similar field of endeavor, of local networked computing devices, discloses maintaining the earlier version of a configuration, just in case the system need to revert back to

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instant earlier version, see Para [0170]-[0171] & [0233]-[0235]. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Ellis with the feature of managing the configuration of devices, such that the version numbers of configurations are kept, at least in the case that the system needs to be rolled back to the earlier version, as taught by Goodman, Para [0234].

5. Claims 11, 14-18, 25 & 31, are rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis, Horiwitz, Williams & Wakerly, and further in view of Pawson, (U.S. Pat # 6,944,585).

Considering claim 11, the claimed system for viewing multimedia, the system comprising elements that correspond with subject matter mentioned above in the rejection of claim 1, is likewise treated.

‘distribution means for distributing multimedia content from a source’, reads on the TVDF 38 in Ellis, (Fig. 1).

‘plurality of access means, communicatively coupled to the distribution means, for providing access to the multimedia content’, is met by the plurality of set top boxes 60-70 & 81-83, (Fig. 3-5; Fig. 7; page 16-19).

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As for the additionally claimed feature that the objects contain a user name & password, Ellis does not meet the limitation. Nevertheless, Pawson which is in the same field of endeavor discloses a teaching of each family member being assigned user profile and a corresponding username & password, col. 4, lines 8-30. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Ellis with feature of each object having a username and password for the desirable improvement of each user being able to identify himself to the system, as taught by Pawson, thereby restricting what the other family members are able to view with respect to their particular profile or object.

Considering claim 14, the claimed feature of the 'system being configured to be selectively accessed by a user to change a configuration of a user object, such that the system is configured to provide the change to all of the client systems without further activity from the user', corresponds with subject matter mentioned in the rejection of claim 1, and is likewise treated. In particular, Ellis page 26, lines 10-25 meets the claimed subject matter. Also, Williams col. 15, lines 22-26, teaches that the user(s) are enabled to access their profiled database, in order to add to, subtract from, and/or modify their recorded preferences, which also meets the claimed subject matter.

Considering claim 15, the claimed feature corresponds with subject matter mentioned above in the rejection of claim 5, and is likewise treated.

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Considering claim 16, the claimed feature corresponds with subject matter mentioned above in the rejection of claim 6, and is likewise treated.

Considering claim 17, the claimed feature corresponds with subject matter mentioned above in the rejection of claim 7, and is likewise treated.

Considering claim 18, the claimed feature corresponds with subject matter mentioned above in the rejection of claim 8, and is likewise treated.

Considering claim 31, Wakerly which is directed to logical circuit design discloses well-known Truth tables for the logical-OR technology, as well as a logical-OR gate with multiple inputs, which reads on the vector, see pgs. 197, 204, 207-211, 275-276, Fig. 5-3(b). Thus, the claimed subject matter reads on the user profile vector, in a bit vector format as taught by Wakerly, and the update vector being determined by the well-known logical-OR technique, also as taught by Wakerly between the current user profile vector and the most recent changes.

Considering claim 25, Ellis does not each assigning each user object a pay-per-view ID. Nevertheless Pawson, which is in the same field of endeavor, provides teaching of each user having an attached user ID tag 181, col. 5, lines 1-20. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Ellis with the feature of each user having a viewing identifier as taught by Pawson, for the advantage of identifying the profile of the user, see col. 5, lines 20-50.

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6. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis, Horiwitz, Williams, Wakerly & Pawson, and further in view of Goodman.

Considering claim 20, even though Ellis teaches that the user may configure the system, the reference does not teach the claimed feature of maintaining a history, with corresponding sequence with respect to the configuration changes of the equipment. Nevertheless, Goodman which is in a similar field of endeavor, of local networked computing devices, discloses maintaining the earlier version of a configuration, just in case the system need to revert back to instant earlier version, see Para [0170]-[0171] & [0233]-[0235]. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Ellis with the feature of managing the configuration of devices, such that the version numbers of configurations are kept, at least in the case that the system needs to be rolled back to the earlier version, as taught by Goodman, Para [0234].

**Any response to this action should be mailed to:**

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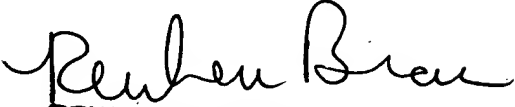
(571) 273-7290 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reuben M. Brown M. Brown whose telephone number is (571) 272-7290. The examiner can normally be reached on M-F(8:30-6:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (571) 272-7331. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300 for regular communications and After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Reuben M. Brown

  
**REUBEN M. BROWN**  
**PATENT EXAMINER**